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|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/673,185 | HOSHINO, KAZUHITO | |
| | Examiner | Art Unit | |
| | Chih-Cheng Glen Kao | 2882 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/4/05.
2. ☒ The allowed claim(s) is/are 1,3,5,6 and 8-11.
3. ☒ The drawings filed on 04 April 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Lee on 4/15/05.

2. The application has been amended as follows:

In claim 1, line 3, in the phrase "to the axis"; replace "the" with - -an- -

In claim 1, line 8, in the phrase "number of the gas"; delete "the"

In claim 1, last line; insert - -generated by the sample- - after "analyze the gas"

In claim 9, line 4, in the phrase "to the axis"; replace "the" with - -an- -

In claim 9, line 5, in the phrase "number of the gas"; delete "the"

In claim 9, line 10; replace "x-rays" with - -X-rays- -

In claim 10, line 4; insert - -generated by the sample- - after "analyze the gas"

In claim 11, line 4, in the phrase "number of the gas"; delete "the"

Reasons for Allowance

3. Claims 1, 3, 5, 6, and 8-11 are allowed.

The following is an examiner's statement of reasons for allowance:

Art Unit: 2882

Regarding claim 1, prior art does not disclose or fairly suggest an analyzing apparatus including sample-holding means for holding a sample at a position which is common to a small-angle X-ray scattering device and a mass spectrometer, wherein the sample-holding means is connected to provide gas generated by a sample to the mass spectrometer using a carrier gas, and control means for controlling the small-angle X-ray scattering device and the mass spectrometer, causing the same to detect the X-rays and analyze the gas generated by the sample at the same time, in combination with all the limitations in the claim. Claims 3, 5, 6, 8, and 10 are allowed by virtue of their dependency.

Regarding claim 9, prior art does not disclose or fairly suggest an analyzing method including the steps of placing a sample at a position which is common to a small-angle X-ray scattering device and a mass spectrometer, providing gas generated by the sample to the mass spectrometer using a carrier gas, and analyzing the gas generated by the sample at the same time the X-ray is measured, in combination with all the limitations in the claim.

Regarding claim 11, prior art does not disclose or fairly suggest an apparatus including pressing means that presses shield members onto an annular member, in combination with all the limitations in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER



REPLACEMENT SHEET

Approved
&
4/13/05

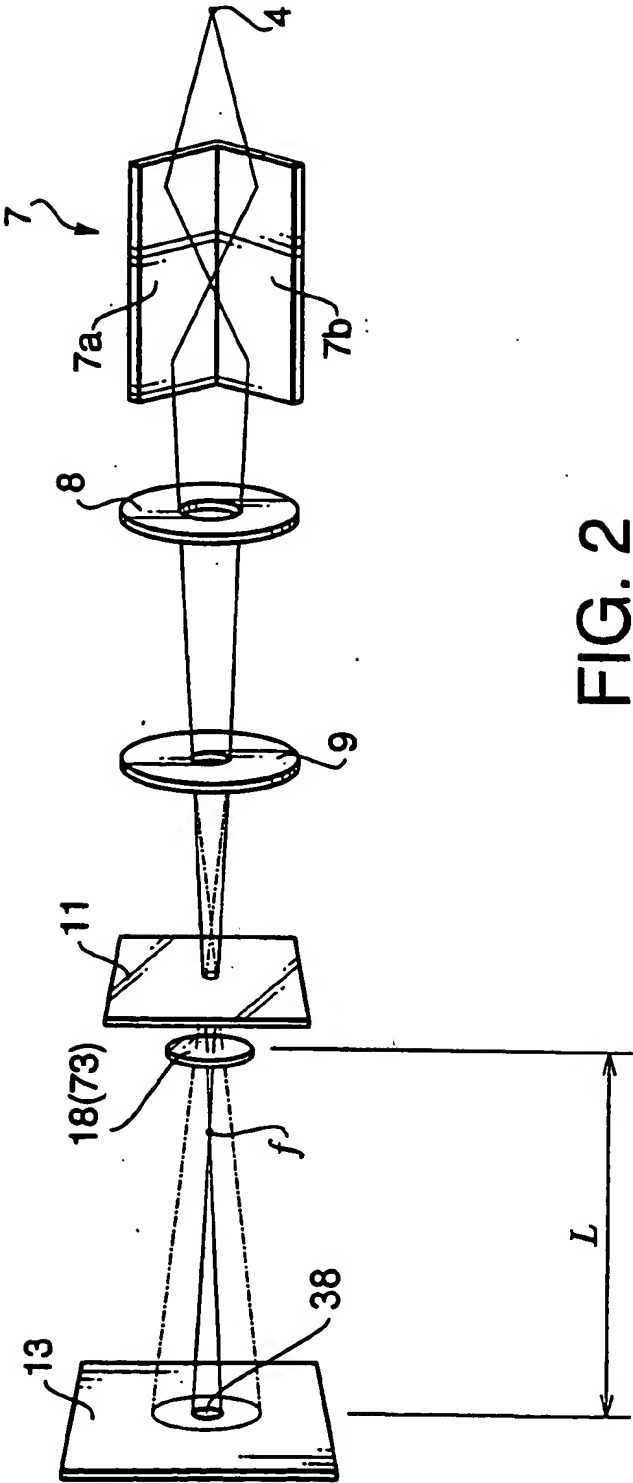


FIG. 2

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